

## **TIPS FOR A MORE EFFECTIVE ADJUDICATORY HEARING**

- A. Prior to the Hearing.
1. Call your Hearing Officer at the Department of Telecommunications and Energy at least one day in advance to confirm the fact that you are aware of the hearing and will attend.
  2. Prepare evidence.
    - a. To the extent possible, make sure that all of the claims you intend on making can be supported by written evidence, e.g., bills notices, memorandums, names, charts, maps, photographs. Note that some of this information may have been previously submitted to the Hearing Officer in the form of responses to Information Requests and does not need to be resubmitted.
    - b. Bring at least two additional copies of the evidence that you will admit (one for the Company and one for the Hearing Officer).
- B. During the Hearing.
1. Repeat all of the testimony from the previous informal hearing.
    - a. The formal hearing is a new hearing. This means that everything that was presented before at the informal hearing must be presented again. The Commission will only use material that is brought up in this new hearing to help it make a decision.
  2. Speak clearly and one at a time so that the court reporter who is recording all of the testimony can make a clear record.
  3. Ask relevant questions.
    - a. We are only interested in the facts and issues that pertain to this particular case, and specifically to the alleged violation. The Hearing Officer will not want to hear what may have happened at the Department in between cases, the circumstances regarding your attendance at this hearing, or your reputation.
  4. Wait until the appropriate time to ask your questions.
    - a. You may want to make note of any questions that come to mind during the opposing party's direct evidence and ask them during your cross-examination period.
    - b. Remember to present the facts in chronological order, if possible.
    - c. Bring any exhibit that you intend to use as evidence to the bench before using it in testimony so that it may be properly marked and introduced.

**STANDARD FORMAT FOR AN ADJUDICATORY HEARING**  
**FOR USE WHEN CONSUMER IS COMPLAINANT**

1. Opening Statement by Complainant.  
A brief statement of a sentence or two explaining why you are here and what you intend to prove.
2. Opening Statement by Company.  
A brief statement of a sentence or two explaining the Company's position and what they intend to prove.
3. Direct Evidence by Complainant.  
Tell the Hearing Officer what your memory of the situation is and support this with any evidence you have.
4. Cross Examination of Complainant by Company.  
The Company will now ask you questions about your memory of the events and any evidence that you presented. The Hearing Officer may also ask questions of the Complainant.
5. Direct Evidence by Company.  
The Company will give their recollection of the situation and present evidence in support of their case.
6. Cross Examination of Company by Complainant.  
You may ask any questions of the Company and their witnesses or about any evidence which was presented. The Hearing Officer may also ask questions of the Company.
7. Closing Statement by Complainant.  
You may now make a brief statement saying what you intended to prove and how you feel that you have proved it.
8. Closing by Company.  
The Company makes a brief statement saying what they intended to prove and how they feel that they have proved it.
9. Hearing Officer accepts Motion to Move Exhibits into Evidence.  
A formal procedure making the exhibits admissible evidence.
10. Adjournment of Hearing.  
Hearing is ended.

**STANDARD FORMAT FOR AN ADJUDICATORY HEARING**  
**FOR USE WHEN COMPANY IS COMPLAINANT**

1. Opening Statement by Company as Complainant.  
A brief statement of a sentence or two explaining why the Company is appealing the Consumer Division decision and what the Company intends to prove.
2. Opening Statement by Consumer.  
A brief statement of a sentence or two explaining the Consumer's position and what the Consumer intends to prove.
3. Direct Evidence by Company as Complainant.  
The Company will give their recollection of the situation and present evidence in support of their case.
4. Cross Examination of Company as Complainant by Consumer.  
You may ask any questions of the Company and their witnesses or about any evidence which was presented. The Hearing Officer may also ask questions of the Company.
5. Direct Evidence by Consumer.  
Tell the Hearing Officer what your memory of the situation is and support this with any evidence you have.
6. Cross Examination of Consumer by Company as Complainant.  
The Company will now ask you questions about your memory of the events and any evidence that you presented. The Hearing Officer may also ask you questions.
7. Closing Statement by Company as Complainant.  
The Company makes a brief statement saying what they intended to prove and how they feel that they have proved it.
8. Closing Statement by Consumer.  
You may now make a brief statement saying what you intended to prove and how you feel that you have proved it.
9. Hearing Officer accepts Motion to Move Exhibits into Evidence.  
A formal procedure making the exhibits admissible evidence.
10. Adjournment of Hearing.  
Hearing is ended.